

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

Minutes  
9/10 September 2004  
465th Regular Meeting  
Central Valley Regional Water  
Quality Control Board

**THURSDAY - 9 SEPTEMBER 2004**

**BOARD MEMBERS PRESENT**

Robert Schneider, Chair, Karl Longley, Vice Chair, Alson Brizard, Robert Fong, Beverly Alves, Lucille Palmer-Byrd, Christopher Cabaldon, Members.

**BOARD MEMBERS ABSENT**

Cher Kablanow

**STAFF PRESENT**

Tom Pinkos, Frances McChesney, Ken Landau, Bill Marshall, Lonnie Wass, Wendy Wyels, Jon Marshack, Jim Martin Shelton Gray, Sue McConnell, Les Obata Alex Baillie, and Janice Tanaka

**OTHERS PRESENT**

Steve Carrigan, City of Stockton  
Roberta Goulart, Contra Costa County  
Bill Jennings, DeltaKeeper  
Dennis Brueckner, Port of Stockton  
Delphine Prevost, Bay Planning Coalition  
David Wilkey, Stockton Port Tenants Assoc  
Dr. Sam Swofford, City of Stockton  
Jeffrey Wingfield, Jones & Stokes  
Thomas Trexler, Jones & Stokes  
Gail Delihant, Assem. Aghazarian's Office  
Gerry Nakano, City of Tracy  
Derrick Whitehead, City of Roseville  
Ed Winkler, Sacramento Groundwater Authority  
Krista Clark, Assoc of CA Water Agencies  
Robert Roscoe, Sacto Suburban Water District  
Tim Parker, DWR  
Stephen Tanner, City of Tracy  
Joe Spano, Dept of Health Services  
L. Denton Hoeh, Stanislaus County

Ed Yates, CA League of Food Processors  
Elaine Trevino, Dos Rios Ranch  
Jan Ennenga, Council of the Central Valley  
Warren Tellefson, CVCWA  
Ed Kriz, City of Roseville  
Rob Swartz, Sacramento Groundwater Authority  
Kenneth Glofzbafh, City of Roseville  
Bob Miller, Mariani Packing Company  
Eric Stein, Wine Institute  
Steve Baily, City of Tracy  
Nicholas Pinhey, City of Tracy  
Jeff Bold, Geomatrix  
Dr. G. Fred Lee  
Richard Hackett  
Ann Chargin  
Greg DeLucchi

**EMPLOYEE RECOGNITION**

Lonnie Wass of the Fresno office presented a resolution commending Les Obata on his retirement and his many years of service.

Jim Pedri, Assistant Executive Officer in the Redding office presented Dennis Wilson with the Wisdom Award, an annual award given to a staff person who exemplifies the tradition of public service set by former Board Member Cliff Wisdom.

## EXECUTIVE OFFICERS REPORT

Tom Pinkos reported that there had been an extensive discussion of the California Performance Review at the recent State Board/regional board Management Coordinating Committee meeting. A draft letter concerning the CPR had been sent to all Board members. Mr. Pinkos also directed the Board's attention to the violation/enforcement summary included in the Executive Officer's Report.

Karl Longley commented that the problems addressed in EO Report Item 2 (Hillview Water Company) are an ongoing concern for many foothill communities.

Mr. Longley also asked for further information on any inconsistencies between proposed Regional Board CAFO general permit conditions and air board regulations (EO Item 14). Mr. Pinkos stated that a written summary of any problems would be sent to Board members.

Chairman Schneider appointed Karl Longley and Al Brizard as Board subcommittee in preparation of a letter from the Board regarding the California Performance Review. After some discussion, it was decided that the Executive Officer would sign the letter, indicating that the letter had not been reviewed and approved by all Board members. A major theme of the letter should be that there are major benefits to the current Regional Board system, and that those core benefits should be preserved in whatever form of regulatory agency may develop.

Al Brizard asked how much water had been involved in the Bureau of Reclamation recirculation pilot project (Item No. 7). Rudy Schnagl reported that 300 cfs had been discharged for the first few days, with the flow reduced to 250 cfs for the remainder of the pilot project. Extensive monitoring of the flow into and along the San Joaquin River was conducted and is under evaluation.

Al Brizard also suggested that it is time to revisit policies regarding the land disposal of food processing wastes (relative to EO Item 30). Mr. Pinkos stated that staff has been working toward a workshop on the item, including salt impacts from the waste discharge, and that the workshop is needed soon.

Chairman Schneider asked for an update on enforcement action regarding dischargers around Lake Berryessa, which was provided by Wendy Wyels.

Chairman Schneider reported that he had asked for further details regarding the specific Grants projects discussed in Item No. 10, and that staff had sent lists of Grant project status to each Board member.

## BOARD MEMBER COMMUNICATION

Al Brizard reported that he had attended several Ag waiver-related meetings, and would provide the dates of those meetings to the Executive Officer.

Chairman Schneider reported that he and Mr. Brizard had attended Regional Board Agricultural Advisory Subcommittee meetings. Also, he had attended a meeting with the Executive Officer at CalEPA regarding Brownfield's cleanups, with the intent of improving interagency communications to expedite cleanups. A letter concerning the meeting had been copied to all Board members.

## PUBLIC FORUM

**Warren Tellefson**, Executive Director of the Central Valley Clean Water Association reported that a major purpose of the organization is to improve communication between the Regional Board and the wastewater treatment agencies in the Central Valley. They are currently working with Dave Carlson regarding sewer overflow response and reporting, and would have liked to work with Board staff regarding the recent letter requiring methyl mercury sampling. He hopes with will be extensive coordination with the Association in the future.

**Bill Jennings**, DeltaKeeper, commented that none of the water from the Bureau of Reclamation pilot recirculation project (EO Item 7) went down the San Joaquin River and past Stockton to help with the dissolved oxygen problem. All the increased flow moved westward back to the pumps.

Mr. Jennings further discussed the use of Port of Stockton dredging sediments for repair of the Trapper Slough levee (EO Item 4). The Port took advantage of the emergency to dispose of contaminated materials, and has been non-responsive to Regional Board staff requests for information. Department of Water Resources sampling of materials in the levee repair shows significant water quality threats. The Port has sold contaminated dredge spoils for use at many locations around the Delta, and is refusing to give that information to the Board. Mr. Jennings encouraged Board member support of staff efforts. Mr. Pinkos, Bill Marshall, and Sue McConnell responded to several Board member questions, indicating that it is taking time for the Port to assemble requested information, and that the scope of the request is being limited to allow the Port to more quickly respond. Written responses from the Port are expected in the next week or so. Tom Pinkos stated that he was not hesitant to use available enforcement tools as needed. Christopher Cabaldon clarified that the Board's actions are not inhibited by legislative interest in the matter, and that speedy and total resolution to the issue is needed so that future emergency response is not inhibited.

**The July 2004 minutes were approved as written.**

**The Board met in closed session to discuss ongoing litigation.**

***Aquifer Storage and Recovery (ASR) Projects - General Information Regarding Potential Water Quality Impacts and Consideration of Waiver for the City of Tracy ASR Project, San Joaquin County***

A public hearing was held. Wendy Wyels and Jon Marshack presented the staff report. Additional testimony was given by Nick Phinney, Tim Parker, Robert Roscoe, Krista Clarke, Ed Winkler, Derrick Whitehead, Steve Tanner, Joe Spano, Bill Jennings and G. Fred Lee.

MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to table this item to a future Board Meeting.  
Unanimously approved.

**WASTE DISCHARGE REQUIREMENTS**

***Port of Stockton, West Complex Dock Dredging Project, San Joaquin County - Consideration of New Waste Discharge Requirements***

A public hearing was held. Alex Baillie and Sue McConnell presented the staff report. Additional testimony was given by Thomas Trexler, Bill Jennings, Ann Chargin, David Wilkey, Richard Hackett, Delphine Prevost, Roberta Goulart, Dennis Brueckner, Greg Deluchi, Sam Swofford, and Steve Carrigan

MOTION: By Mr. Schneider, seconded by Mr. Longley to table this item to a future Board Meeting.  
Unanimously approved.

**The meeting was adjourned at 6:30pm to the 10 September, Friday morning session at 8:30 a.m.**

**FRIDAY - 10 SEPTEMBER 2004**

**BOARD MEMBERS PRESENT**

Robert Schneider, Chair, Karl Longley, Vice Chair, Alson Brizard, Beverly Alves, Lucille Palmer-Byrd, Members.

**BOARD MEMBERS ABSENT**

Christopher Cabaldon, Robert Fong and Cher Kablanow

**STAFF PRESENT**

Tom Pinkos, Frances McChesney, Ken Landau, Richard Loncarovich, Jerry Bruns, Bill Marshall, Les Grober, Bill Croyle, Molly White, Eric Oppenheimer, Joe Karkoski, Kelly Briggs, and Janice Tanaka

## **OTHERS PRESENT**

Bill Jennings, DeltaKeeper  
Ed Yates, CA League of Food Processors  
Elaine Trevino, Dos Rios Ranch  
John Buada, Triangle Rock Products  
Del Kerlin, City of Lodi  
Kathryn Gies, West Yost & Assoc.  
Arthur Godwin, Merced Irrig Dist.  
Alf Brundt, Dept of the Interior  
William Beckon, USFWS  
Tom Mauver, U.S. Fish & Wildlife  
Jared Huffman, NRDC  
Hicham Eltal, City of Mercide  
Michael Eacock, USBR  
Diane Riddle, SWRCB  
Alexis Strauss, USEPA, Region 9  
Tim O’Laughlin, SJR Authority  
Dan Madden, City of Turlock  
Jerry Johns, DWR  
Karna Harigfeld, Stockton East Water Dist.  
Patrick Porgans, Porgans & Assoc  
David Cory, SJR Exchange Contractors  
DeeAnn Gillick, SJ County  
Bob Pedlar, DWR

Russell Grimes, CA Bay Delta  
Richard Shata, Bookman-Edmonston  
David Miller, Bookman-Edmonston  
Marshall Lee DPR  
Nan Singhasemanon, DPR  
Gail Delihant, Assem. Aghazarian’s Office  
John Meeks, San Joaquin County  
Rick Strider, DPR  
Ryan Wallace, Matsuda’s  
Jasmine Schell, Western Farm Service  
Debra Denton, US EPA  
Jim Wells, Makheshim Agan  
Dave Tamayo, Sacto County  
Bill Thomas, Dow Agro  
Paul Marshall, DWR  
Thomas Trexler, Jones & Stokes  
Steve Gittings, City of Stockton  
John Hewitt, CA Farm Bureau  
Dennis Gudgel, SJ Water Quality Coalition  
Parry Klassen, SJ Water Quality Coalition  
Tim Johnson, CA Rice Commission  
Roberta Firoved, CA Rice Commission

## **OTHER BUSINESS**

**The Board met in closed session to discuss ongoing litigation.**

## **PUBLIC FORUM**

**Bill Jennings**, DeltaKeeper, stated that many changes to the Delta are contemplated or are in progress. Knowledge of problems within the Delta is inadequate, so caution is needed as we consider future changes. Dr. Fred Lee has prepared an overview of Delta Water Quality issues, an abstract of which was passed to Board members. The entire text is available on both the DeltaKeeper and Dr. Lee web sites, or complete copies can be provided to Board members.

**Elaine Trevino**, representing the Dos Rios and Mapes Ranch Food Processing Waste Reuse Sites spoke regarding EO Report Item 30. 2600 acres of agricultural land have been permitted to accept food processing wastes under Regional Board and County oversight. The County inspects the sites weekly. No science has shown adverse environmental impacts from the projects, but \$300,000 worth of water quality studies have been requested. She supports a food processing waste workshop and requests an extension of the waiver process until the workshop can be held. Rudy Schnagl provided background on site operations. Karl Longley asked if studies can be phased until the scope of any water quality impacts are better understood. Tom Pinkos will follow up at a planned meeting with the facility owners.

**Ed Yates**, California League of Food Processors, stated that the issues are broader than just Mapes Ranch (EO Item 30). The current land disposal practices were developed to allow diversion of food processing wastes away from landfill. 99% of the million tons per year of food processing wastes go either to land disposal as a soil amendment, or are used as animal feed. A workshop is needed as soon as possible. The League would appreciate the opportunity to present the benefits of the current soil amendment practices. Chairman Schneider stated that some food processing waste streams can be a significant water quality threat, and that the workshop will help identify the problematic wastes.

## UNCONTESTED CALENDAR

### ENFORCEMENT

#### **Bella Vista Water District, Shasta County — Consideration of NPDES Renewal and Cease and Desist Order**

A public hearing was held. No one appeared to contest the proposed orders.

**R5-2004-0110** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed NPDES Renewal. Unanimously approved.

**R5-2004-0111** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to approve the Cease and Desist Order. Unanimously approved by role call vote.

#### **State of California, Department of Fish and Game, Darrah Springs Fish Hatchery, Shasta County — Consideration of NPDES Renewal and Cease and Desist Order**

A public hearing was held. No one appeared to contest the proposed orders.

**R5-2004-0112** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed NPDES Renewal. Unanimously approved.

**R5-2004-0113** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to approve the Cease and Desist Order. Unanimously approved by role call vote.

#### **State of California, Department of Fish and Game and Pacific Gas and Electric Company, Crystal Lake Fish Hatchery, Shasta County — Consideration of NPDES Renewal and Cease and Desist Order**

A public hearing was held. No one appeared to contest the proposed orders.

**R5-2004-0114** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed NPDES Renewal. Unanimously approved.

**R5-2004-0115** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to approve the Cease and Desist Order. Unanimously approved by role call vote.

#### **State of California, Department of Fish and Game, Mount Shasta Fish Hatchery, Shasta County — Consideration of NPDES Renewal and Cease and Desist Order**

A public hearing was held. No one appeared to contest the proposed orders.

**R5-2004-0116** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed NPDES Renewal. Unanimously approved.

**R5-2004-0117** MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to approve the Cease and Desist Order. Unanimously approved by role call vote.

## **NPDES PERMITS**

### **Uncontested NPDES Permits**

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|---------------------|----|---|
| <b>R5-2004-0118</b> | a. | California Department of Fish and Game, San Joaquin Fish Hatchery, Fresno County  |
| <b>R5-2004-0119</b> | b. | Calaveras Trout Farm Inc. and Merced Irrigation District, Trout Rearing Facility, Merced County   |
| <b>R5-2004-0120</b> | c. | California Department of Fish and Game and Merced Irrigation District, Merced River Fish Hatchery, Merced County  |
| <b>R5-2004-0121</b> | d. | State of California, Department of Fish and Game and Department of Water Resources, Feather River Fish Hatchery-Thermalito Annex Facility, Butte County |
| <b>R5-2004-0122</b> | e. | California Department of Fish and Game and East Bay Municipal Utility District, Mokelumne River Fish Hatchery, San Joaquin County                       |
| <b>R5-2004-0123</b> | f. | U. S. Department of Interior, Fish and Wildlife Service, Coleman Fish Hatchery, Shasta County   |
| <b>R5-2004-0124</b> | g. | Pactiv Corporation, Molded Pulp Mill, Tehama County   |
| <b>R5-2004-0125</b> | h. | City of Lodi, White Slough Water Pollution Control Plant, San Joaquin County  |
| <b>R5-2004-0126</b> | i. | San Joaquin County Service Area 31, Flag City Wastewater Treatment Plant, San Joaquin County  |

A public hearing was held. No one appeared to contest the proposed orders.

MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed NPDES Permits. Unanimously approved.

## **WASTE DISCHARGE REQUIREMENTS**

### **Uncontested Change of Name and/or Ownership**

- a. Progress Associates Group, Recycling Project, Kern County
- b. Hidden Valley Sand and Gravel Cache Creek Plant and Ken Hilger, Lake County
- c. Fresno County Service Area No. 44-D, #44-D Monte Verde Estates WWTF, Fresno County
- d. Family Tree, Reedley Packinghouse, Fresno County
- e. Magnolia Citrus Association, Porterville Citrus Packinghouse, Tulare County
- f. Oroville-Wyandotte Irrigation District, Miners Ranch Water Treatment Plant, Butte County
- g. Valley Rock Products, Inc., Closure/Post Closure Maintenance of Drilling Mud Disposal Facility, Glenn County
- h. Mellenium Pacific Asset, Hi-Ho Lodge & MHP, Kern County
- i. Core Energy, LLC, New Chaparral Petroleum, Inc., Kern County
- j. Clay Station 1200 Subdivision, Sacramento County

A public hearing was held. No one appeared to contest the proposed orders.

<b>R5-2004-0127</b>	MOTION:	By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed orders. Unanimously approved.
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### **Uncontested Rescissions**

- a. Kern County Service Area 41, Cuddy Valley, Kern County
- b. Fish Screen Improvement Project, Glenn-Colusa Irrigation District, Glenn and Tehama Counties

A public hearing was held. No one appeared to contest the proposed orders.

**R5-2004-0128**

MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed orders. Unanimously approved.

**Uncontested Waste Discharge Requirements**

- R5-2004-0129** a. Pestoni Brothers LLC and South Lake Refuse & Recycling, Quackenbush Mountain Resource Recovery and Compost Facility, Green Waste Composting Facility, Lake County
- R5-2004-0130** b. United States Air Force Beale Air Force Base Site 10 Enhanced Bioremediation Project, Yuba County
- R5-2004-0131** c. City of Brentwood, Brentwood WTP, Master Reclamation Permit, Contra Costa County
- R5-2004-0132** d. Placer Union High School District, Foresthill High School Wastewater Treatment Facility, Placer County
- R5-2004-0133** e. County of Yolo, Planning & Public Works Dept, Yolo County Central Landfill, Class III Landfills & Class II Surface Impoundments, Construction, Operation, Closure, Post-Closure Maintenance & Corrective Action
- R5-2004-0134** f. Triangle Rock Products, Inc., Florin Road Aggregate Plant, Sacramento County

A public hearing was held. No one appeared to contest the proposed orders.

MOTION: By Mr. Longley, seconded by Mrs. Palmer-Byrd to adopt the proposed orders as amended. Unanimously approved.

**Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins for the Control of Salt and Boron Discharges into the Lower San Joaquin River -- *Consideration of a Resolution to Adopt a Proposed Basin Plan Amendment***

- **Changes to the proposed control program made since the release of the Nov 2003 Public Review Draft Staff Report**
- **Salt and boron criteria needed to protect beneficial uses in the San Joaquin River upstream of Vernalis**
- **Public comments on the proposed control program**
- **Stakeholder efforts to address the salinity problem in the San Joaquin River**

A public hearing was held. Eric Oppenheimer and Les Grober presented the staff report. Additional testimony was given by David Cory, Alexis Strauss, Bill Jennings, Jerry Johns, Patrick Porgans, Karna Harigfeld, DeAnn Gillick, Dan Madden and Tim O'Laughlan.

**R5-2004-0108**

MOTION: By Mr. Schneider, seconded by Mr. Longley to adopt the proposed order with late revisions. Approved with a vote of three to two. Voting yes was Board Member Schneider, Longley and Palmer-Byrd. Voting no was Board Member Alves and Brizard.

**Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins for the Control of Factors Contributing to the Dissolved Oxygen Impairment in the Stockton Deep Water Ship Channel - *Consideration of Continuance of a Hearing***

A public hearing was held. Les Grober presented the staff report. Additional testimony was given by Tim O'Laughlan, Thomas Drexlar, David Cory, Bill Jennings and Steve Gittings. The Board took no action.

**Total Maximum Daily Loads of Diazinon and Chlorpyrifos in Sacramento Area Urban Creeks,  
Sacramento County – *Consideration of Resolution Approving TMDL***

A public hearing was held. Joe Karkoski presented the staff report. Additional testimony was given by Bill Thomas, Dave Tamayo, Bill Jennings and Debra Denton.

**R5-2004-0109**

MOTION: By Mr. Brizard, seconded by Mrs. Palmer-Byrd to adopt the proposed order. Unanimously approved.

**Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands Within  
The Central Valley Region - *Information Item***

Bill Croyle presented the staff report. Additional information was given by Tim Johnson, Dennis Gudgel, Parry Klassen, Bill Jennings, David Cory, Bill Thomas and Aaron Fergusen. This was for the Board's information. The Board took no action.

**Budget Discussion – *Information Item***

Richard Loncarovich presented an update on the Regional Board's budget. The Board took no action.

**The meeting was adjourned at 4:00 p.m. to the October 14/15, 2004 regular meeting.**